

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MATTHEW CATANZARO and
MICHAEL GARRISON,

No. 08-11173

Plaintiffs,

District Judge Thomas L. Ludington

v.

Magistrate Judge R. Steven Whalen

MICHIGAN DEPT. OF CORRECTIONS,

Defendant.

ORDER DENYING MOTION TO STOP FILE FEE DEDUCTION

Before the Court is Plaintiff Catanzaro's Motion for Immediate Consideration in order to Stop File Fee Deduction [Docket #106]. Plaintiff states that his portion of the fee (\$175) "has been paid off as of May 20, 2009." In fact, it has not. According to Court records, Mr. Catanzaro still has an outstanding balance of \$4.00. For this reason, I denied his previous motion to stop file fee deduction on May 28, 2009. As I noted in that order [Docket #101]:

"This Court's order of July 3, 2008 is self-effectuating, and specifically directs that once Mr. Catanzaro's \$175.00 share of the filing fee has been paid, further deductions from his trust account will cease. There is no reason to believe that the MDOC will not comply with that order, and granting the present motion would be redundant."

The present motion [Docket #106] is therefore DENIED. If, after the \$4.00 balance is paid, the Plaintiff believes that funds are still being deducted from his prison account, in excess of \$175.00, he should take the matter up with the appropriate officials at the institution, and if necessary, provide them with a copy of this Order and the Order of May 28, 2009.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: June 17, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on June 17, 2009.

S/G. Wilson
Judicial Assistant